Atty. Dkt. No. 048674-0309



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Dallas et al.

Title:

POCKET TOOL WITH

FLASHLIGHT

Appl. No.:

10/716,387

Filing Date:

11/18/2003

Examiner:

Prone, Jason D.

Art Unit:

3724

CERTIFICATE OF EXPRESS MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. EV 505573865 US 3/23/05 (Express Mail Label Number) (Date of Deposit) Carolyn Simpson (Printed Name)

<u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 CFR §1.56</u>

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the examiner.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date

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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

MAR 2 3 2005 ersons are required to respond to a collection of information unless it contains a valid OMB control Under the Paperwork Reduction Act of 1995, no

number. Substitute for form 1449 PM TO Complete if Known INFORMATION DISCLOSURE **Application Number** 10/716,387 Filing Date STATEMENT BY APPLICANT 11/18/2003 **First Named Inventor** Edgar A. Dallas Date Submitted: March 23, 2005 Group Art Unit 3724 (use as many sheets as necessary) **Examiner Name** Prone, Jason D. 048674-0309 Sheet 1 of Attorney Docket Number

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	U.S. Patent Document		Name of Patentee or Applicant of	Date of Publication of	Pages, Columns, Lines, Where Relevant	
		Number	Kind Code ² (if known)	Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	
	A1	6,260,453	B1	Anderson et al.	07-17-2001		
•	A2	6,231,207	B1	Kennedy et al.	05-05-2001		
	A3	6,158,874		Brustein et al.	12-12-2000		
	A4	6,027,224		Schnell	02-22-2000		

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Examiner Initials*	Cite No.1	F Office	oreign Patent D Number4	ocument Kind Code ⁵ (if known)	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶		
	A5	DE	203 08 783	U1	Zweibrueder	10-09-2003				
	A6	EP	1 081 425	A2	Opolka	03-07-2001				
	A7	WO	99/67060	A1	Taggart et al.	12-29-1999				

Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T€
	A8	International Search Report and Written Opinion for PCT/US2004/033620, dated 02/14/2005, received 02/18/2005, 15 pages.	

		-
Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.